

OGC Has Reviewed


29 December 1952

MEMORANDUM FOR: General Counsel

SUBJECT : The Establishment of 4 Supergrade Positions
within CIA for key personnel of National
Security Council

1. Attached is the complete file on the above subject prepared by the Personnel Office.
2. In discussing the proposal with Deputy Director (Administration) it was decided to refer the matter to your office for review and preparation of an opinion as to the legal aspects involved.
3. If the proposal is approved by this Agency and Bureau of the Budget, the National Security Council intends to use funds accumulated in Fiscal Year 1953 through lapses in employment of estimated personnel requirements for reimbursement to CIA for the proposed supergrades. In Fiscal Year 1954 an amount has been included in the budget under temporary employment for the payment of the proposed supergrades if the Council is successful in obtaining them under the over-all program for increased supergrades throughout the government. If this additional amount is not allowed by the Congress, then the cost of the supergrades will have to be absorbed again through lapsed employment in Fiscal Year 1954.
4. The attached file indicates that the Council has been attempting to secure the additional supergrades since March, 1951, through Civil Service Commission. Therefore, CIA may be subjected to severe criticism by the Congress and others for providing supergrade positions when other efforts have failed. Since the National Security Council was created by law, the same as any other normal Government agency, the question might be raised as to why the Council should not follow the normal Government procedure in obtaining additional supergrades through proper legislative channels.
5. I have discussed the matter informally with representatives of Bureau of the Budget, and they have been noncommittal as to whether or not the Bureau will approve such an arrangement between the two agencies.

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E. R. SAUNDERS
Comptroller

Attachment